

**UPDATED INFORMATIVE DIGEST
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

REGARDING THE CALIFORNIA MECHANICAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4**

Summary of Existing Laws

Health and Safety Code, Section 1226 authorizes the Office to prescribe, in consultation with the Community Clinics Advisory Committee, minimum building standards for the physical plant of clinics, for adoption in the California Building Standards Code.

Health and Safety Code, Section 1275 authorizes the Office to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing facilities and correctional treatment centers.

Health and Safety Code, Section 129790 authorizes the Office to propose building standards for correctional treatment centers in cooperation with the Department of Corrections, Board of Corrections and Department of Youth Authority.

Health and Safety Code, Section 129850 authorizes the Office to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act. The Office is also authorized to submit to the California Building Standards Commission for approval and adoption of building standards related to the seismic safety of hospital buildings.

Health and Safety Code, Section 18928 authorizes state agencies to adopt the most recent edition of model code, as amended or proposed to amended by the agency, within one year of the publication date of that model code.

Government Code Section 11152.5 authorizes a state department to adopt regulations pursuant to the Government Code. Regulations which are building standards, must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with Section 18901).

Summary of Existing Regulations

The OSHPD currently enforces California Code of Regulations, Title 24, Part 4, 2001 California Mechanical Code (CMC) which is based on the 2000 Uniform Mechanical Code (UMC) with California amendments. The OSHPD enforces Title 24 requirements related to the construction of hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. This proposal will modify existing regulations for these health facilities regarding the application of the code for skilled nursing facilities, emergency electrical power as it applies to licensed clinics, air supply conveyed from corridors to toilet rooms and location of dry-steam humidifiers in relationship to filter banks.

Summary of Effect

This proposed action is to adopt the 2003 UMC for incorporation, by reference, into the 2004 CMC and to carry forward the existing California amendments relating to the requirements for health facilities. Additionally, the Office is proposing a few editorial and minor technical modifications, which are summarized below, for clarification and consistency within the code.

- Clarify that code requirements for skilled nursing facility construction also apply to “distinct part” units included on a hospital license and units within hospital buildings.
- Provisions of Section 316.0 are being amended to provide essential mechanical requirements for licensed surgical clinics. These provisions are currently being enforced pursuant to the California Electrical Code, Section 517-34. The amendment will provide clarification and consistency within Title 24.

- Requirements of Section 407.4.1.3 are being amended to provide an exception regarding air supply being conveyed from corridors. The amendments will permit air from fire resistive corridors to serve toilet rooms up to 50 square feet. The current provision allows this for small rooms of up to 30 square feet; however, toilet rooms must be accessible to persons of disabilities. This amendment will accommodate accessibility requirements.
- Amendments to Section 602.1, which were intended to be the same as the requirements in Section 407.4.1.3, are being deleted, and replaced with a reference to Section 407.4.1.3.
- Provisions are being amended to clarify that dry-stream type humidifiers may be installed downstream of the "final" filter bank, instead of filter bank No. 2, which is the current requirement. Hospitals are currently required to have one, two or three filter banks depending on the designation/use of the room. This amendment will clarify that no matter how many filter banks are in the ventilation system these humidifiers may be located downstream of the last filter bank.
- Requirement for ventilating ceiling for health facilities is being amended to indicate that the enforcement of the requirement applies to licensed clinics. Currently this provision is enforced for hospitals, SNF's and correctional treatment centers.
- Other proposed amendments are editorial changes that renumber or relocate existing amendments to accommodate the formatting changes in the 2003 UMC.

Comparable Federal Statute or Regulations

There are no comparable federal regulations that address the requirements of this proposal.

Policy Statement Overview

The intent of this proposal is to adopt the most recent model code requirements for mechanical systems, pursuant to Health and Safety Code Section 18928. The OSHPD is responsible for the development of regulations regarding the physical plant for hospitals, skilled nursing facilities, licensed clinics and correctional treatment centers. When necessary, the Office is responsible for amending model code requirements for these health facilities. Additionally, Chapter 1 of the CMC contains language defining the scope of OSHPD's statutory authority. The proposed amendments will clarify the application of "OSHPD 1" and "OSHPD 2" requirements for skilled nursing facilities.

Small Business Affect

These proposed regulations will not have any affect on small businesses.